

1 HON. ROBERT S. LASNIK
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,) NO. CR 17-128RSL
11 Plaintiff,)
vs.) ORDER GRANTING MOTION TO
12) CONTINUE TRIAL AND PRETRIAL
13) MOTIONS DEADLINE
14 ANTONIO AVILA,)
15 Defendant.)
16 _____)

17 THIS MATTER having come before the Court on defendant's motion for a
18 continuance of the trial and the pretrial motions due date, and the Court having
19 considered the facts set forth in the motion, the speedy trial waiver executed by
20 defendant, and the records and files herein, the Court finds as follows:

21 The Court finds that the ends of justice will be served by ordering a continuance
22 in this case, that a continuance is necessary to ensure adequate time for effective case
23 preparation, and that these factors outweigh the best interests of the public and
24 defendant in a speedy trial.

25 1. A failure to grant the continuance would deny defense counsel the reasonable
26 time necessary for effective preparation, taking into account the exercise of due
diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the failure

1 to grant a continuance in the proceeding would be likely to result in a miscarriage of
2 justice, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

3 2. The ends of justice will be served by ordering a continuance in this case, as a
4 continuance is necessary to ensure adequate time for the defense to effectively prepare
5 for trial. All of these factors outweigh the best interests of the public and defendant in
6 a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).
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8 IT IS THEREFORE ORDERED that the trial date shall be continued from
9 September 11, 2017, to January 16, 2018, and pretrial motions are to be filed no later
10 than December 19, 2017.
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12 IT IS FURTHER ORDERED that the resulting period of delay from the date of
13 this order to the new trial date is hereby excluded for speedy trial purposes under 18
14 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).
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16 IT IS SO ORDERED.
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19 Dated this 16th day of August, 2017.
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Robert S. Lasnik
United States District Judge

Presented by,
s/ *Kyana Givens*
Attorney for Antonio Avila
Office of the Federal Public Defender

ORDER GRANTING MOTION
TO CONTINUE TRIAL AND
PRETRIAL MOTIONS DEADLINE - 2
(Antonio Avila; CR 128RSL)

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